

THE BOARD OF COMMISSIONERS  
OF  
MIAMI COUNTY, OHIO

A RESOLUTION CREATING A PROGRAM FOR THE  
DONATION TO QUALIFYING NON-PROFIT ENTITIES  
OF PERSONAL PROPERTY WHICH IS NOT NEEDED FOR  
PUBLIC USE, OR WHICH IS OBSOLETE, OR UNFIT FOR  
THE USE FOR WHICH IT WAS ACQUIRED, AND WHICH HAS AN  
ESTIMATED FAIR MARKET VALUE OF \$2,500.00 OR LESS, AND  
DIRECTING THE CLERK OF THE BOARD, AND REQUESTING  
THE AUDITOR OF MIAMI COUNTY, OHIO TO  
TAKE SUCH STEPS AS ARE NECESSARY TO EFFECT THE  
CREATION AND MAINTENANCE OF SAID PROGRAM

The Board of Commissioners of Miami County, Ohio, met in Regular Session on the 22nd day of August, 2006, at the offices of said Board, 201 West Main Street, Troy, Ohio 45373, with the following members present:

John F. Evans, President;

D. Ann Baird, Vice President;

Ron Widener, Member.

RESOLUTION NO. 06-08-1272

Mrs. Baird moved the adoption of the following Resolution:

WHEREAS, Section 307.12 of the Ohio Revised Code, as said Section was recently amended by the enactment of House Bill 323 of the 125<sup>th</sup> Ohio General Assembly, provides that Ohio counties may create programs for the donation to any 501(c)(3) organization, as described in 26 United States Code, Section 501(a) and Section 501(c)(3), that is exempt from Federal taxation and that is located in the State of Ohio, personal property of the county which is not needed for public use, or which is obsolete, or unfit for the use for which it was acquired, and which has an estimated fair market value of \$2,500.00 or less; and

WHEREAS, said Section requires that, before the initiation of any such program, the Board of Commissioners adopt a policy which sets forth certain matters specifically identified and enumerated in Section 307.12(B)(2) of the Ohio Revised Code; and

WHEREAS, after the enactment of a resolution creating the program and adopting a policy in relation thereto, officials of the County are required to take and to continue certain clerical and ministerial steps to effect public notice of the existence of the policy and to maintain lists of eligible potential recipients of donations contemplated thereby and unneeded personal property to be donated thereunder; and

WHEREAS, all proceedings incident to this matter have been conducted in full compliance with the law, including, but not by way of limitation, the provisions of Section 121.22 of the Ohio Revised Code; and

NOW, THEREFORE, BE IT

RESOLVED, by the Board of Commissioners of Miami County, Ohio, no fewer than a majority of all of the members thereof concurring, that, pursuant to the Section 307.12 of the Ohio

Revised Code, there is created hereby a program for the donation to any 501(c)(3) organization, as described in 26 United States Code, Section 501(a) and Section 501(c)(3), that is exempt from Federal taxation, and that is located in the State of Ohio, items of personal property which are not needed for public use, or which are obsolete, or which are unfit for the use for which they were acquired, and which have an estimated fair market value of \$2,500.00 or less, also known as "unneeded personal property"; and

RESOLVED, further, that:

1. It is the intention of the Board of Commissioners of Miami County, Ohio, to make available for donation to Ohio 501(c)(3) organizations, as defined hereinabove, such unneeded personal property which, from time to time may become available;

2. Each such donation shall be made to the first qualifying entity that expresses an interest in an item or in a group of items unless the Board hereafter adopts a separate resolution singling out a specified eligible entity for the receipt of a particular item or group of items, or gives priority to a specified non-profit entity the purposes of which has a direct relationship to specific purposes of programs provided, or administered by the Board of Commissioners;

3. The donation program created hereby shall be conducted and administered directly by the Board of Commissioners of Miami County, and through the efforts of the Board and employees within the office thereof; and

4. Any qualifying entity wishing to obtain donated unneeded personal property under the program created hereby shall submit written notice to the Board of Commissioners of Miami County, Ohio, The Miami County Safety Building, 201 West Main Street, Troy, Ohio 45373, which shall be accompanied by evidence that the organization is exempt from Federal taxation and is located in the State of Ohio; and which includes a description of the organization's primary purpose, a description of the types of property it is requesting, and the name, address, and telephone number of the organization, or its program agent as designated by the governing board of the organization;

RESOLVED, that the Clerk of the Board of Commissioners of Miami County, Ohio, be, and said officer hereby is directed to cause notice of the foregoing enactment, including a summary of this resolution, to be published on at least two (2) separate occasions in a newspaper of general circulation within Miami County, Ohio, to post similar notices and to maintain the same in the offices of the Board of Commissioners of Miami County, Ohio, in the office of the Auditor of Miami County, Ohio, and on the internet web site maintained by Miami County, Ohio; and to create and to maintain a list of qualifying non-profit entities which submit notice of the desire thereof to participate in the program, and a list of any unneeded personal property items that are being offered under the program created hereby; and

RESOLVED, further, that the Clerk of the Board of Commissioners of Miami County, Ohio, be empowered and directed, and the Auditor of Miami County, Ohio, be authorized and requested to take such steps as may be necessary to effect the creation and operation of the program created hereby, and all measures required thereby or incident thereto; and

Mr. Widener seconded the Motion, and, the roll being called upon its adoption, the vote resulted as follows:

Mrs. Baird, Yea;  
Mr. Evans, Yea;  
Mr. Widener, Yea.

Adopted on the 22nd day of August, 2006.

ATTEST: Leigh Williams  
LEIGH WILLIAMS  
Clerk  
The Board of Commissioners of Miami County,  
Ohio

THE STATE OF OHIO       )  
                                      )  
                                      )       ss:  
MIAMI COUNTY            )

I, LEIGH WILLIAMS, Clerk of the Board of Commissioners of Miami County, Ohio, do certify that the foregoing is taken and copied from the Record of Proceedings of the Board of the Board of Commissioners of Miami County, Ohio, and that the same is a true, correct, accurate, and complete copy of the same.

Witness my signature this 22nd day of August, 2006.

Leigh Williams  
LEIGH WILLIAMS  
Clerk  
The Board of Commissioners of Miami County,  
Ohio

**PUBLIC NOTICE**  
**Donation Program for Unneeded Personal Property**

The Board of Miami County Commissioners intends to make unneeded personal property with a market value of \$2,500 or less, owned by the county, available for donation to any 501 c (3) organization that is exempt from Federal taxation that is located in the State of Ohio, pursuant to Section 307.12 O.R.C.

Any eligible 501 c (3) organization that desires to obtain unneeded personal property from Miami County must submit written notice to the Board of Miami County Commissioners. The written notice must include evidence that the organization is exempt from federal taxation under section 501 c (3), that the organization is located within the State of Ohio, a description of the organization's primary purpose, the type of property the organization is requesting, and the name, address and phone number of the organization, or its program agent as designated by the organization's governing board.

The Miami County Commissioners Office will maintain a list of all eligible 501 c (3) organizations that submit notices as described above. The Commissioners Office will also maintain a list of unneeded property items being offered for donation, which will be posted continually at the Miami County Commissioners Office and the County Auditor's Office, 201 West Main Street, Troy, Ohio 45373, as well as on the Miami County website: [www.miamicountyohio.gov](http://www.miamicountyohio.gov)